



## ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ADUS IN SINGLE-FAMILY (R1) ZONE DISTRICTS

As prescribed in the Zoning Code (Chapter 14.14), ADUs and JADUs are allowed on single-family zoned properties. ADUs and JADUs require Zoning Clearance Permit includes zoning completeness check prior to allowance of intake of an ADU Building Permit.

### General

- ☐ An ADU, which shall have independent exterior access, must include at least a sink, a refrigerator of no less than 10 cubic feet, and either a cooktop and an oven, or a range, and a food preparation counter and storage cabinet.
- ☐ A JADU must include at least one bedroom or studio sleeping area and an efficiency kitchen with a cooking facility with appliances and a food preparation counter and storage cabinets.
- ☐ Both ADU and JADU are subject to a deed restriction for prohibition of separate ownership from the primary dwelling and short-term rentals (less than 30 days), and JADU is also subject to owner occupancy requirement.
- ☐ Mechanical equipment and air conditioning units for accessory dwelling units shall comply with the [Air Handling Equipment/Air Conditioning Unit Setback Guidelines handout](#) per Chapter 6.16 of the Noise Control Ordinance.
- ☐ One JADU and one detached ADU may be allowed provided that a detached ADU that does not exceed eight hundred fifty (850) square feet in size nor sixteen (16) feet in height.

### JADU Development Standards

- ☐ Minimum Size: 150 square feet
- ☐ Maximum Size: 500 square feet
- ☐ Conversion from Primary Dwelling: JADU must be constructed within the existing walls of a single-family dwelling except the additions of 150 square feet beyond the existing physical dimensions of the primary dwelling may be permitted to accommodate required ingress and egress.
- ☐ Impact Fees: JADU is not subject to impact fees.
- ☐ FAR and Lot Coverage: JADU shall count towards the FAR and lot coverage

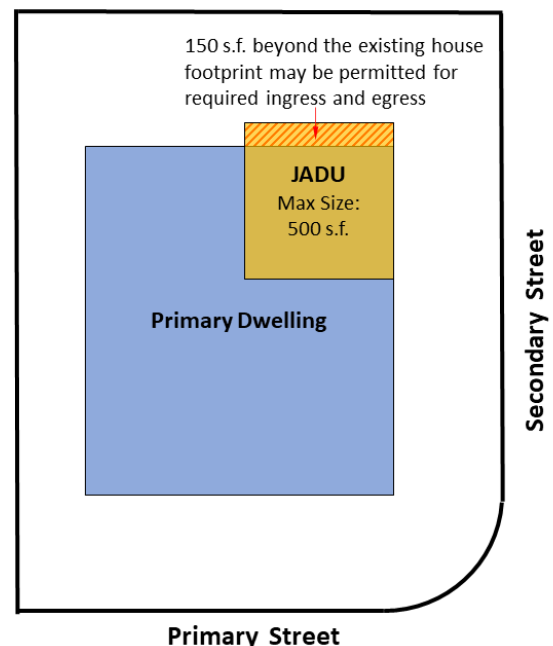


Figure 1 – JADU Design Standards Diagram

## ADU Development Standards

### ☐ Maximum Size:

- Detached ADU: 1,200 square feet including basement area but excluding garage area
- Attached ADU: 50% of the floor area of the main dwelling or 850 square feet, whichever is greater. No ADUs shall exceed 1,200 square feet in floor area excluding the basement area.

### ☐ Minimum Separation for a Detached ADU: 5 feet from the main dwelling

### ☐ Minimum Rear and Side Setbacks: 4 feet\*; but 10 feet encouraged. If the proposed ADU is located within 5 feet from any property lines, a land survey map is required and shall be included in the ADU application materials.

**\*No architectural features including but not limited to eaves, gutters, and bay windows are allowed in the required 4-foot side and rear yards.**

### ☐ Maximum Height:

- Detached: one story and 16 feet for newly constructed ADU
- Attached: 16 feet or the same height limit established for the primary dwelling pursuant to the underlying zoning district if the attached ADU is subject to the primary dwelling's required setbacks.

### ☐ The following provisions only apply to ADUs that is 851 square feet - 1,200 square feet. The calculation shall include the whole ADU's floor area:

- Floor Area Ratio: 35%
- Lot Coverage: 35% for one-story main dwelling and 30% for two-story main dwelling

### ☐ Parking Requirements: One additional uncovered parking space of 9' by 18' is required for a newly constructed ADU.

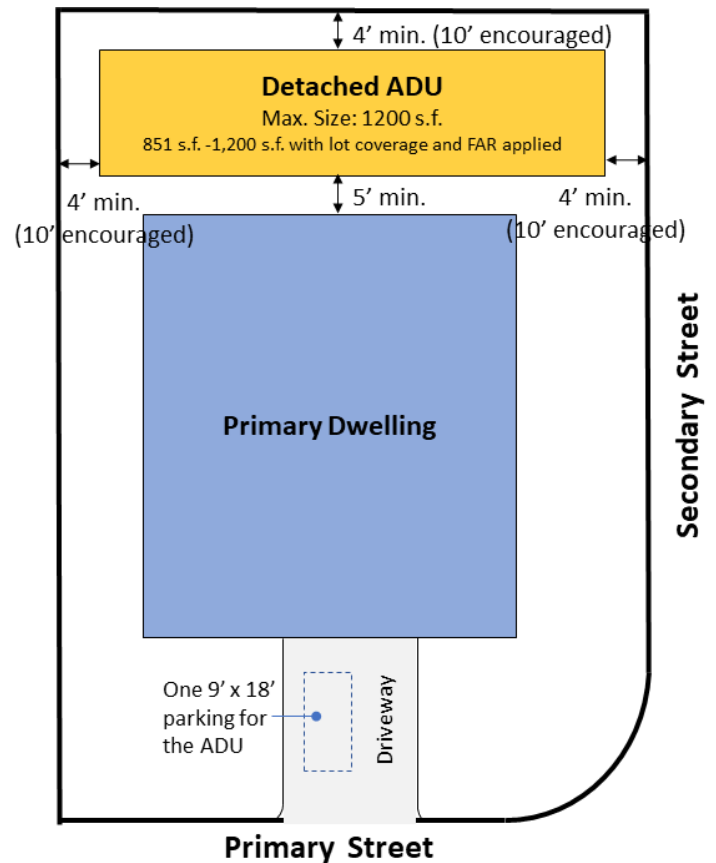


Figure 2 - Detached ADU Development Standards Diagram

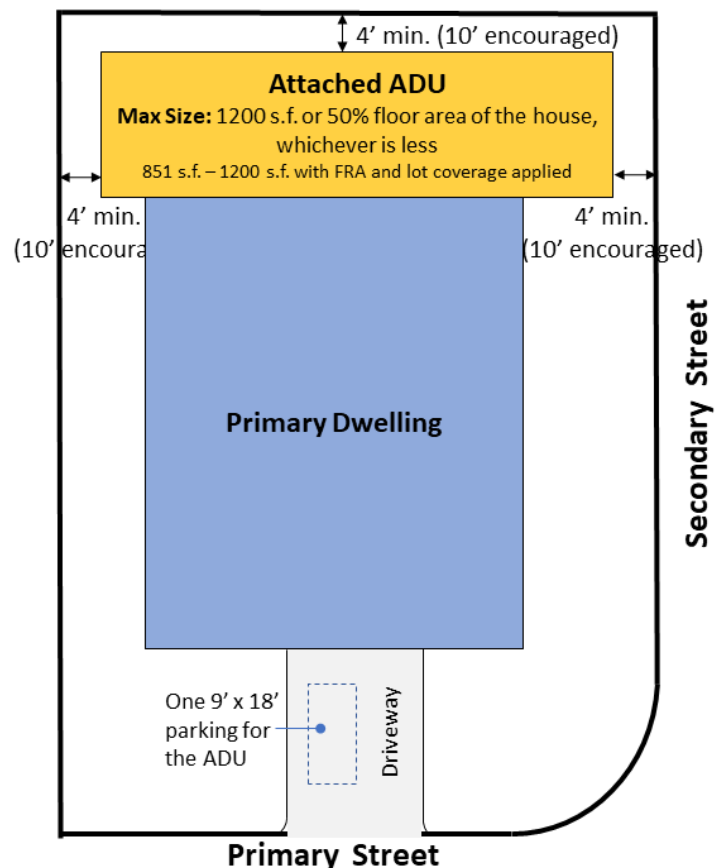


Figure 3 - Attached ADU Development Standards Diagram

The parking requirement may be waived if meets the [Zoning Code Section 14.14.050\(i\)\(1\) through \(6\)](#).

- ❑ **Architectural Compatibility:** The architectural features, window styles, roof slopes, exterior materials, colors, appearance, and design of the newly constructed ADU that is over 850 square feet must be compatible with the existing single-family dwelling.

- ❑ **Daylight Plane Requirements:**

- The daylight plane starts at a height of eight feet at the property line and proceeds inward at a 6:12 slope. At 10 feet from the property line the structure can increase in height to 16 feet.
- All appurtenances, including chimneys, vents and antennas, shall be within the daylight plane.
- The daylight plane is not applied to a side or rear property line when it abuts a public alley or public street.
- Daylight plane shall not be enforced if it prohibits an 850 square-foot ADU or less.
- If the proposed ADU has voluntary rear and side setbacks of 10 feet, the day light plane does not apply to the ADU.

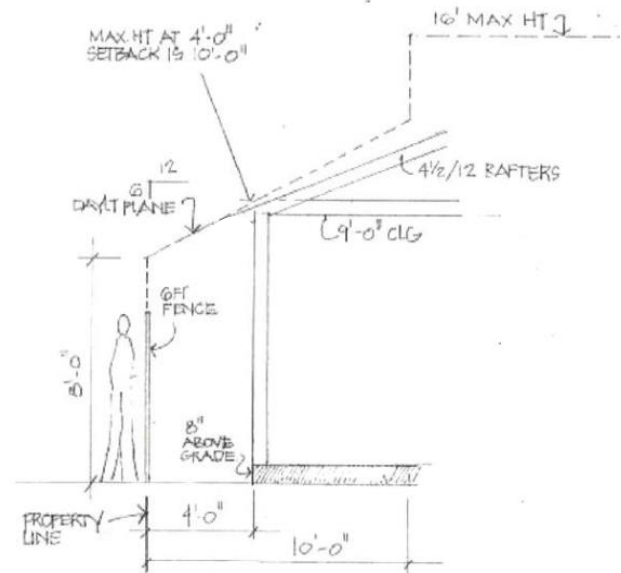


Figure 4 – Standard Daylight Plane Diagram

### Other ADU Design Considerations

- ❑ **Newly Constructed JADU:** A newly attached JADU to the main dwelling but outside of the existing dwelling's footprint that is consistent with the primary dwelling's setbacks as well as the JADU standards is acceptable but shall be subject to the design review process.
- ❑ **Protected Trees:** If the construction of the ADU will fall into 2/3rds of any protected trees (48-inches or greater in circumference when measured at 48-inches above the ground) or result in damage and/or removal of such trees, an arborist report, prepared by an ISA certified arborist, shall be submitted as part of the zoning clearance permit and reviewed prior to approval of the permit. Any Protected tree that is proposed for removal, the tree shall meet the tree removal criteria per [Chapter 11.08 of the Municipal Code](#).
- ❑ **ADU Address Assignment:** A new address will be assigned to all ADUs prior to issuance of a building permit. Generally, the new address assigned to the ADU will be the property address + UNIT A (i.e. 1234 Main St, UNIT A). Posting of the ADU's address number, as specified by the Building Division and Santa Clara County Fire Department, is required prior to final occupancy of the unit.
- ❑ **Reach Code:** City Adopted Reach Code applies to newly constructed detached ADU. Please find more details in the [Reach Code handout](#) and [Ordinance](#).
- ❑ **Separate Utility Meters:** An ADU may have separate utility meters installed, or it can utilize the primary residence's services if added loads allow. ADUs require electrical load calculations to

justify required panel sizes and/or added electrical loads imposed on the main residences electrical service. Newly constructed ADUs must have separate subpanels.

- ☐ Separate Sewer Connection: A detached ADU shall have the sewer connection placed downstream of the main house's building drain (connect to the existing main sewer lateral outside of the main residence). Attached ADUs may share the same building drain.
- ☐ Impact Fees:
  - ADU and JADU may be subject to school impact fees. Please contact with the local School Districts to determine the school impact fees.
  - For ADUs that are over 750 square feet, impact fees are required proportionate to the main dwelling.
- ☐ Fire Resistive Requirements: When the exterior walls of a proposed residential building, detached garage, ADU or accessory building to an R-3 dwelling project (new or remodel) is located in close proximity to a property line additional fire resistive construction may be required in accordance with CRC Table R302.1.1 (unsprinklered building) or Table R302.1(2) (sprinklered buildings).
- ☐ Fire Sprinkler: An ADU is required to have fire sprinklers:
  - if the primary residence is required to have fire sprinklers.
  - if an attached ADU including any additions to the existing house that will be greater than 750 square feet , the entire house and the attached ADU are required to be protected with a fire sprinkler system.
- ☐ Fire Hydrant Proximity: If no fire hydrant is located within 600 feet to exterior walls of the ADU, additionally fire safety measures such as installation of a new fire hydrant may apply.
- ☐ Fire Hydrant Water Flow: The closet fire hydrant shall have a minimum water flow of 1,000 gpm at 20 psi available. If the flow is other than 1,000 gpm at 20 psi, Fire staff will review flow data and will evaluate if additional fire safety measures are required.